IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 21117 of 2004

Between:

A.V.S.High School Vontimitta, Vontimitta Mandal Cuddapah District, rep by Secretary and Correspondnet A. Ramadas, S/o late pitchayya

..... PETITIONER

AND

1 The District Collector, Kadapa, Kadapa District
2 The Mandal Revenue Officer, Vontimitta Mandal, Kadapa District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the second respondent in interfering with the possession and enjoyment of the petitioner school over the land of an extent of AC. 0-20 cts. in Sy. No. 2108 in Vontimitta Village and Mandal, Kadapa District, at the instance of other, as illegal, improper, unjust and contrary to the procedure prescribed under Act 9/1977 and vilative of Art. 300-A of the constitution of India and further direct the respondents to act according to law.

Counsel for the Petitioner:MR.N.BHARAT BABU

Counsel for the Respondents: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER

I see no cause of action to entertain the writ petition. The writ petition is filed on the premise that the respondents, on the allegation that the petitioner has violated the provisions of Act 9 of 1977, will evict the petitioner without following the due procedure prescribed under law.

It is needless to observe that if the land in question is an assigned land and even if the petitioner purchased the same in contravention of the provisions of the Act 9 of 1977, the respondents are under obligation to follow the due procedure contemplated under law for his eviction and without following the same, the petitioner cannot be evicted from the land in question.

With the above observation, the writ petition is dismissed at the stage of admission. No order as to costs.

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A. GOPAL REDDY. J.

18th November, 2004

Note: Issue the operative portion by wire

at party's costs.

(B/o)

tsr.

To

1 The District Collector, Kadapa, Kadapa District
2 The Mandal Revenue Officer, Vontimitta Mandal, Kadapa District

3. Two C.C.s to Government Pleader for Revenue, High Court Buildings, Hyderabad.(OUT)

4. Two C.D. copies.